

SENATE BILL 997

C5

2lr2947
CF HB 1280

By: **Senator Garagiola**

Introduced and read first time: February 16, 2012

Assigned to: Rules

Re-referred to: Finance, February 27, 2012

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 2012

CHAPTER _____

1 AN ACT concerning

2 **Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions**

3 FOR the purpose of altering certain definitions of “electricity supplier” and “public
4 service company” to exclude, for purposes of certain provisions of law, a person
5 that owns or operates equipment used for charging electric vehicles; altering a
6 certain definition of “retail electric customer” to include certain persons and to
7 exclude, for purposes of certain provisions of law, a person that charges an
8 electric vehicle at an electric vehicle charging station, with a certain exception;
9 and generally relating to exclusions from certain provisions of law for electric
10 vehicle users and charging stations.

11 BY repealing and reenacting, without amendments,
12 Article – Public Utilities
13 Section 1–101(a)
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2011 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Public Utilities
18 Section 1–101(j), (x), and (cc)
19 Annotated Code of Maryland
20 (2010 Replacement Volume and 2011 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Public Utilities**

4 1–101.

5 (a) In this division the following words have the meanings indicated.

6 (j) (1) “Electricity supplier” means a person:

7 (i) who sells:

8 1. electricity;

9 2. electricity supply services;

10 3. competitive billing services; or

11 4. competitive metering services; or

12 (ii) who purchases, brokers, arranges, or markets electricity or
13 electricity supply services for sale to a retail electric customer.

14 (2) “Electricity supplier” includes an electric company, an aggregator,
15 a broker, and a marketer of electricity.

16 (3) “Electricity supplier” does not include:

17 (i) the following persons who supply electricity and electricity
18 supply services solely to occupants of a building for use by the occupants:

19 1. an owner/operator who holds ownership in and
20 manages the internal distribution system serving the building; or

21 2. a lessee/operator who holds a leasehold interest in
22 and manages the internal distribution system serving the building; [or]

23 (ii) a person who generates on–site generated electricity; **OR**

24 **(III) A PERSON THAT OWNS OR OPERATES EQUIPMENT USED**
25 **FOR CHARGING ELECTRIC VEHICLES, INCLUDING A PERSON THAT OWNS OR**
26 **OPERATES:**

27 1. **AN ELECTRIC VEHICLE CHARGING STATION;**

1 **2. ELECTRIC VEHICLE SUPPLY EQUIPMENT; OR**

2 **3. AN ELECTRIC VEHICLE CHARGING STATION**
3 **SERVICE COMPANY OR PROVIDER.**

4 (x) (1) “Public service company” means a common carrier company,
5 electric company, gas company, sewage disposal company, telegraph company,
6 telephone company, water company, or any combination of public service companies.

7 (2) “Public service company” does not include:

8 **(I) a campground that provides water, electric, gas, sewage, or**
9 **telephone service to campers incident to the campground’s primary business of**
10 **operating and maintaining the campground; OR**

11 **(II) A PERSON THAT OWNS OR OPERATES EQUIPMENT USED**
12 **FOR CHARGING ELECTRIC VEHICLES, INCLUDING A PERSON THAT OWNS OR**
13 **OPERATES:**

14 **1. AN ELECTRIC VEHICLE CHARGING STATION;**

15 **2. ELECTRIC VEHICLE SUPPLY EQUIPMENT; OR**

16 **3. AN ELECTRIC VEHICLE CHARGING STATION**
17 **SERVICE COMPANY OR PROVIDER.**

18 (cc) (1) “Retail electric customer” means a purchaser of electricity for end
19 use in the State.

20 (2) “RETAIL ELECTRIC CUSTOMER” INCLUDES:

21 **(I) A PERSON THAT OWNS OR OPERATES EQUIPMENT USED**
22 **FOR CHARGING ELECTRIC VEHICLES, INCLUDING:**

23 **1. AN ELECTRIC VEHICLE CHARGING STATION;**

24 **2. ELECTRIC VEHICLE SUPPLY EQUIPMENT; OR**

25 **3. AN ELECTRIC VEHICLE CHARGING STATION**
26 **SERVICE COMPANY OR PROVIDER; AND**

27 **(II) A PERSON THAT CHARGES AN ELECTRIC VEHICLE AT AN**
28 **ELECTRIC VEHICLE CHARGING STATION THAT THE PERSON OWNS OR**
29 **OPERATES.**

1 **(3)** “Retail electric customer” ~~excludes~~ **DOES NOT INCLUDE:**

2 (i) an occupant of a building in which the owner/operator or
3 lessee/operator manages the internal distribution system serving the building and
4 supplies electricity and electricity supply services solely to occupants of the building
5 for use by the occupants; [and]

6 (ii) a person who generates on-site generated electricity, to the
7 extent the on-site generated electricity is consumed by that person or its tenants; ~~AND~~
8 **OR**

9 **(III) EXCEPT AS PROVIDED IN PARAGRAPH (2)(II) OF THIS**
10 **SUBSECTION, A PERSON THAT CHARGES AN ELECTRIC VEHICLE AT AN ELECTRIC**
11 **VEHICLE CHARGING STATION.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.